

02-26-03

2631#9  
03-063

Attorney Docket No.: 01447/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): M. UCHINO et al  
Serial No. : 09/890,441  
Filed : July 25, 2001  
For : WANDER GENERATOR, AND DIGITAL  
LINE TESTER AND PHASE NOISE  
TRANSFER CHARACTERISTIC  
USING THE SAME  
Art Unit : 2631  
Examiner :

**INFORMATION DISCLOSURE STATEMENT  
WITH STATEMENT UNDER 37 CFR 1.97(e)  
AND STATEMENT UNDER 37 CFR 1.704(d)**

Commissioner for Patents  
Washington, D.C. 20231

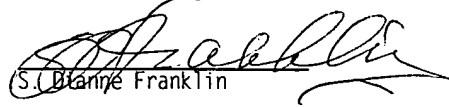
S I R :

Submitted herewith are the following:

- (1) Copy of a communication (Supplementary Partial European Search Report) issued in the counterpart European application;
- (2) Copies of the cited publications; and
- (3) Forms PTO/SB/08A and PTO/SB/08B. It is requested that initialed copies of the Forms PTO/SB/08A and PTO/SB/08B be returned to indicate that the publications listed therein have been considered and made of record.

Said communication is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

  
S. Dianne Franklin

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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**STATEMENT UNDER 37 CFR 1.97(e)(1)**

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of January 29, 2003. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

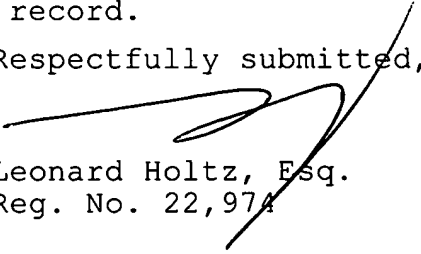
**STATEMENT UNDER 37 CFR 1.704(d)**

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and said communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement. Said communication was received by applicants' Japanese attorneys, Suzuye & Suzuye in Japan, on February 10, 2003.

It is noted that the two EP publications cited in the enclosed Supplementary Partial European Search Report have U.S. Patent counterparts. However, since these documents are already in the English language, it is not necessary to provide copies of the counterpart U.S. patents.

It is respectfully requested that the attached publications be considered and made of record.

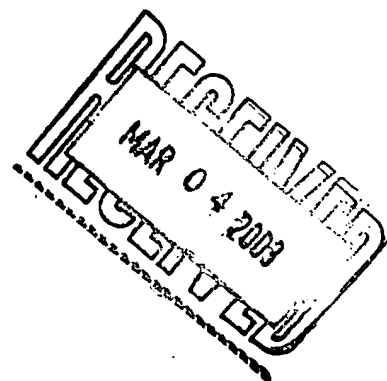
Respectfully submitted,

  
Leonard Holtz, Esq.  
Reg. No. 22,974

Encls.

Dated: February 25, 2003

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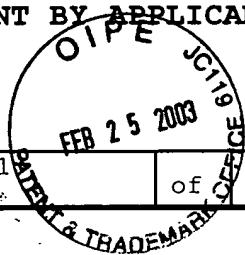
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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number		09/890,441	
		Filing Date		July 25, 2001	
		First Named Inventor		M. UCHINO	
		Group Art Unit		2631	
		Examiner Name			
Sheet	1	of	2	Attorney Docket Number	01447/LH



**U.S. PATENT DOCUMENTS**

Exam. Inits <sup>*</sup>	Cite No <sup>1</sup>	Document Number	Kind Code <sup>2</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion

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**FOREIGN PATENT DOCUMENTS**

Exam Inits <sup>*</sup>	Cite No <sup>1</sup>	Offc <sup>3</sup>	Document Number <sup>4</sup>	Kind Code <sup>5</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T <sup>6</sup>
		EP	0 828 343	A1	TEKTRONIX, INC.	03-11-1998		
		EP	0 547 271	A1	HEWLETT PACKARD, LTD.	06-23-1993		
		GB	2 146 205	A	MARCONI INSTRUMENTS, LTD.	04-11-1985		

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Place a check here if English translation is attached.

\* English language abstract enclosed

DATE MAILED: February 25, 2003

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PTO/SB/08B (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number		09/890,441	
		Filing Date		July 25, 2001	
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		Group Art Unit		2631	
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	01447/LH
<b>OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>2</sup>
		MCNALLY, B.I. et al, "Jitter Accumulation in a Simulated 591-2 MBIT/S, 6000km Optical Transmission System", <u>Electronics Letters</u> , <u>vol. 24, no. 11</u> , pages 676-678, May 26, 1998, IEE Stevenage, GB, XP000761221, ISSN: 0013-5194 - figure 1.			
Examiner Signature		Date Considered			

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